

UNITED STATES DISTRICT COURT
for the
Eastern District of Wisconsin

In the Matter of the Search of:

the cellular telephone assigned call number (414) 559-2730
that is stored at the premises controlled by Verizon wireless,
a wireless telephone service provider headquartered at 180
Washington Valley Rd, Bedminster, NJ 07921

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Case No. 23-868M(NJ)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property over which the Court has jurisdiction pursuant to Title 18, United States Code, Sections 2703 and 2711:

See Attachment A

I find that the affidavit(s) or any recorded testimony, establish probable cause to search and seize the person or property described above and that such search will reveal:

See Attachment B

YOU ARE COMMANDED to execute this warrant ON OR BEFORE 4/18/2023 (not to exceed 14 days)
~~in~~ the daytime between 6:00 a.m. and 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Honorable Nancy Joseph.

(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

for _____ days (not to exceed 30) until, the facts justifying, the later specific date of _____.

Date and time issued: 4/4/2023 @ 4:03 p.m.


Nancy Joseph
Judge's signature

Return

Case No:	Date and time warrant executed:	Copy of warrant and inventory left with:
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Inventory made in the presence of:

Inventory of the property taken and/or name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the undersigned judge.

Date: _____

Executing officer's signature

Printed name and title

Subscribed, sworn to, and returned before me this date:

Date: _____

United States Magistrate Judge

ATTACHMENT A

Property to Be Searched

Records and information associated with the cellular telephone assigned call number **(414) 559-2730** (referred to in attachment B as “the Account”), that is stored at the premises controlled by Verizon wireless, a wireless telephone service provider headquartered at 180 Washington Valley Rd, Bedminster, NJ 07921.

ATTACHMENT B

Particular Things to be Seized

I. Information to be Disclosed by the Provider

To the extent that the information described in Attachment A is within the possession, custody, or control of the Service Provider, including any information that has been deleted but is still available to the Service Provider or that has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Service Provider is required to disclose to the government the following information pertaining to the Accounts listed in Attachment A for the following dates: March 28, 2023 at 4:00 PM (CST) through March 29, 2023 at 11:59 PM (CST):

- A. The following information about the customers or subscribers of the Accounts:
 1. Names (including subscriber names, user names, and screen names);
 2. Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
 3. Local and long-distance telephone connection records;
 4. Records of session times and durations, and the temporarily assigned network addresses (such as Internet Protocol (“IP”) addresses) associated with those sessions;
 5. Length of service (including start date) and types of service utilized;
 6. Telephone or instrument numbers (including MAC addresses, Electronic Serial Numbers (“ESN”), Mobile Electronic Identity Numbers (“MEIN”), Mobile Equipment Identifier (“MEID”); Mobile Identification Number (“MIN”), Subscriber Identity Modules (“SIM”), Mobile Subscriber Integrated Services Digital Network Number (“MSISDN”); International Mobile Subscriber Identity Identifiers (“IMSI”), or International Mobile Equipment Identities (“IMEI”);
 7. Other subscriber numbers or identities (including the registration Internet Protocol (“IP”) address); and
 8. Means and source of payment for such service (including any credit card or bank account number) and billing records.

- B. All records and other information (not including the contents of communications) relating to wire and electronic communications sent or received by the Account, including:
1. the date and time of the communication, the method of the communication, and the source and destination of the communication (such as the source and destination telephone numbers (call detail records), email addresses, and IP addresses); and
 2. information regarding the cell tower and antenna face (also known as “sectors”) through which the communications were sent and received, as well as per-call measurement data.
 3. per call measurement and timing advance data (PCMD, RTT, True Call, NELOS, or similar)

II. Information to be Seized by the Government

All information described above in Section I that constitutes evidence of violations of Title 18, United States Code, Section 1951 (Hobbs Act), Title 18, United States Code, Section 924(c) (use of a firearm during a crime of violence), and Title 18, United States Code, Section 371 (conspiracy), involving unknown subjects on or about March 28, 2023.

Law enforcement personnel (who may include, in addition to law enforcement officers and agents, attorneys for the government, attorney support staff, agency personnel assisting the government in this investigation, and outside technical experts under government control) are authorized to review the records produced by the Service Provider to locate the things particularly described in this Warrant.

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Case No. 23-868M(NJ)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

See Attachment A

over which the Court has jurisdiction pursuant to Title 18, United States Code, Sections 2703 and 2711, there is now concealed:

See Attachment B

The basis for the search under Fed. R. Crim P. 41(c) is:

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to violations of:

18 U.S.C. 1951(a) – Hobbs Act Robbery
18 U.S.C. 924(c) – Brandishing of a firearm during a crime of violence
18 U.S.C. 371 - Conspiracy

The application is based on these facts: See attached affidavit.

- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

Heather Wright, Special Agent, FBI
Printed Name and Title


Judge's signature

Sworn to before me and signed via

telephone: Date: 4/4/2023

City and State: Milwaukee, Wisconsin

Honorable Nancy Joseph . U.S. Magistrate Judge
Printed Name and Title

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT

I, Heather N. Wright, being first duly sworn on oath, on information and belief state:

I. INTRODUCTION, BACKGROUND, TRAINING, AND EXPERIENCE:

1. I make this affidavit in support of an application for a search warrant for information associated with a certain cellular telephone's assigned call number:

a. **(414) 559-2730** ("Target Phone #1"), that is stored at the premises controlled by Verizon wireless, a wireless telephone service provider headquartered at 180 Washington Valley Rd, Bedminster, NJ 07921.

2. Verizon Wireless will be referred to as the "Service Provider." The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. § 2703(c)(1)(A) to require the Service Provider to disclose to the government copies of the information further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review the information to locate items described in Section II of Attachment B.

3. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since July of 2010. Since August of 2020, I have been assigned to the FBI's Milwaukee Area Violent Crimes Task Force, a multi-jurisdictional law enforcement entity charged with investigating violations of federal law, including bank robberies, commercial robberies, armed motor vehicle robberies, and other violent crime matters, defined under Title 18 of the United States Code. I have been trained in a variety of investigative and legal matters, including the topics of Fourth Amendment searches, the drafting of search warrant affidavits, and probable cause. I

have participated in criminal investigations, surveillance, search warrants, interviews, and debriefs of arrested subjects. As a result of this training and investigative experience, I have learned how and why violent actors typically conduct various aspects of their criminal activities.

4. Based upon my training and experience, I know that criminal investigations have been aided by subpoenas, warrants, and court orders related to electronic communication records by providing critical investigative leads and corroborative evidence.

5. To this end, based upon my training and experience, I know that individuals involved in violent crimes use cellular telephones to maintain contact with co-conspirators aurally or via electronic message in “text” format. I also know that it is common for suspects who commit violent crimes to take, or cause to be taken, photographs and other visual depictions of themselves, their associates, and the illegal proceeds and firearms that they control or possess.

6. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other Agents, law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

7. Your affiant is involved into the investigation of multiple armed robberies of United States Postal Service (USPS) Employees within the city of Milwaukee between October 25, 2022 through March 28, 2023 in violation of Title 18, United States Code, Sections 1951(a) (Hobbs Act robbery), 924(c) (brandishing of a firearm during a crime of violence), and 371 (conspiracy). I further submit that there is probable cause to believe that the historical cellular records for **Target Phone #1** will assist in obtaining evidence of the currently unknown individuals (UNSUBS) responsible for the most recent incident.

II. PROBABLE CAUSE

8. On or about March 28, 2023 around 4:45 PM (CST) United States Postal Service Mail Carrier (VICTIM) was approached by two (2) black male UNSUBS in the area of 4616 W Hope Avenue, Milwaukee, WI as VICTIM was delivering mail. The UNSUBS placed a black semi-automatic handgun to the VICTIM's chest and demanded her keys multiple times. The VICTIM stated that one of the UNSUBS searched the pockets of the vest she was wearing and took a key FOB to the USPS mail truck, a USPS tracking device she were wearing, and her personal cellular phone (**Target Phone #1**). The UNSUBS then fled the area on foot and the USPS tracker was located in the area of 4124 North 49th Street, Milwaukee, WI. **Target Phone #1** was has not been located at this time.

9. On or about March 30, 2023 a USPS Postal Inspector contacted the VICTIM who stated that they called Verizon after the robbery to suspend their account and then again contacted Verizon the next day to arrange for a new cell phone.

10. Your affiant knows in speaking with experts in the field of historical call detail record analysis that there is specific historical location records that are held by Verizon regarding **Target Phone #1** that can provide evidence of the possible path of travel of the cellular phone and the area it went to after the robbery which can lead to identifying the UNSUBS related to this incident. Furthermore, when an individual steals a cell phone, such as **Target Phone #1**, they may attempt to use it through the placing or receiving of calls or texts. Additionally, even if an account is suspended the device may still make contact with the network and the network, such as Verizon, would still record records of that connection.

11. Your affiant is requesting the subscriber information, call detail records, text message connection records, and engineering records (RTT for Verizon) for **Target Cell #1** between March 28, 2023 at 4:00 p.m. (CST) to March 29, 2023 23, 2022 at 11:59 p.m. (CST).

III. CELL SITE DATA

12. In my training and experience, I have learned that the Service Provider is a company that provides cellular telephone access to the general public. I also know that providers of cellular telephone service have technical capabilities that allow them to collect and generate information about the locations of the cellular telephones to which they provide service, including cell-site data, also known as “tower/face information” or “cell tower/sector records.” Cell-site data identifies the “cell towers” (i.e., antenna towers covering specific geographic areas) that received a radio signal from the cellular telephone and, in some cases, the “sector” (i.e., faces of the towers) to which the telephone connected. These towers are often a half-mile or more apart, even in urban areas, and can be 10 or more miles apart in rural areas. Furthermore, the tower closest to a wireless device does not necessarily serve every call made to or from that device. Accordingly, cell-site data provides an approximate location of the cellular telephone but is typically less precise than other types of location information, such as E-911 Phase II data or Global Positioning Device (“GPS”) data.

13. Additionally, your affiant is aware that cellular phone companies may retain engineering data, referred to as Timing Advance, RTT or LOCBOR, that can provide additional location information, such as distance from a tower, or estimated latitude and longitude that can assist in identifying the locations and areas of **Target Phone #1**.

14. Based on my training and experience, I know Service Providers can collect cell-site data about **Target Phone #1**. I also know that wireless providers such as the Service Provider

typically collect and retain cell-site data pertaining to cellular phone to which they provide service in their normal course of business in order to use this information for various business-related purposes.

15. Based on my training and experience, I know that wireless providers such as the Service Provider typically collect and retain information about their subscribers in their normal course of business. This information can include basic personal information about the subscriber, such as name and address, and the method(s) of payment (such as credit card account number) provided by the subscriber to pay for wireless telephone service. I also know that wireless providers such as the Service Provider typically collect and retain information about their subscribers' use of the wireless service, such as records about calls or other communications sent or received by a particular phone and other transactional records, in their normal course of business. In my training and experience, this information may constitute evidence of the crimes under investigation because the information can be used to identify the locations of **Target Cell Phone #1** after the robbery, and may assist in the identification of locations or identity of the UNSUBS.

IV. AUTHORIZATION REQUEST

16. Based on the foregoing, I request that the Court issue the proposed search warrant, pursuant to 18 U.S.C. § 2703(c) and Federal Rule of Criminal Procedure 41.

17. I further request that the Court direct Service Provider to disclose to the government any information described in Section I of Attachment B that is within its possession, custody, or control. Because the warrant will be served on the Service Provider, who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

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Law enforcement personnel (who may include, in addition to law enforcement officers and agents, attorneys for the government, attorney support staff, agency personnel assisting the government in this investigation, and outside technical experts under government control) are authorized to review the records produced by the Service Provider to locate the things particularly described in this Warrant.